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401 WEST A STREET, SUITE 2400
SAN DIEGO, CALIFORNIA 92101-7915
TELEPHONE (619) 231-3666
FACSIMILE (619) 231-6629
www.usmvlaw.com

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To:	FACSIMILE No.:	TELEPHONE No.:
Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Attn: Examiner Daniel A. Hess Group Art Unit 2876	(703) 872-9306	(571) 272-2800

FROM:	Bernard L. Kleinke, Esq.
RE:	Applicant: Timothy Giraldin, et al. Title: DATA ANALYSIS SYSTEM AND METHOD Patent Application No.: 10/716,691 Filing Date: November 18, 2003
FILE NO.	8591-112
DATE:	April 14, 2005

DESCRIPTION OF DOCUMENT, COMMENT OR SPECIAL INSTRUCTIONS:

NUMBER OF PAGES SENT: 11 (including cover sheet)

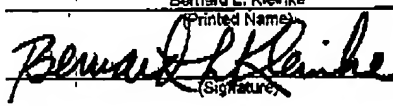
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APR 14 2005

Atty. Dkt. No. 8591-112

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Timothy Giralдин, et al.
Title: DATA ANALYSIS SYSTEM
AND METHOD
Appl. No.: 10/716,691
Filing Date: November 18, 2003
Examiner: Daniel A. Hess
Art Unit: 2876

CERTIFICATE OF MAILING BY FACSIMILE
Date of transmission: <u>4/14/05</u>
I hereby certify that this correspondence is being facsimile transmitted on the date indicated above to the United States Patent and Trademark Office, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, at telephone No. (703) 872-9306.
Bernard L. Kleinke (Printed Name)
 (Signature)

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing are:

- ☒ Information Disclosure Statement, Pursuant to 37 C.F.R. § 1.56.
- ☒ Form PTO/SB/08A with listed reference.
- ☒ Copy of Written Opinion of the International Preliminary Examining Authority.
- ☒ Credit Card Payment Form.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required either now or in the future regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. Should no proper payment be enclosed herewith, as by a check

Atty. Dkt. No. 8591-112

being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. If any charges or fees must be paid in connection with the foregoing, concurrent or future communication (including, but not limited to, the payment of an extension fee or issue fees), or if any overpayment is to be refunded in connection with the above-identified application, any such charges or fees, or any such overpayment may be respectfully paid out of, or into, the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. If any such payment also requires a petition or extension request, please construe this authorization to pay as the necessary petition or request, which is required to accompany the payment.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Date: April 13, 2005

DUCKOR SPRADLING METZGER & WYNNE
A Law Corporation
401 West A Street, Suite 2400
San Diego, CA 92101-7915
Telephone: 619.231.3666
Facsimile: 619.231.6629
Email: kleinke@dsmwlaw.com

Respectfully submitted,

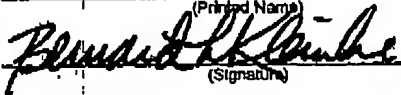
By Bernard L. Kleinke
Bernard L. Kleinke
Attorney for Applicant
Registration No. 22,123

APR 14 2005

Atty. Dkt. No. 8591-112

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Timothy Giraladin, et al.
Title: DATA ANALYSIS SYSTEM
AND METHOD
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Examiner: Daniel A. Hess
Art Unit: 2876

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Date of Deposit:	4/14/05
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Bernard L. Klelnke (Printed Name)	
 (Signature)	

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08A is a listing of a document known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR § 1.56.

The submission of the document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present Application or that such document is considered material to patentability as defined in 37 CFR § 1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference the document which is determined to be a *prima facie* art reference against the claims of the present Application.

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Atty. Dkt. No. 8591-112

TIMING OF THE DISCLOSURE

The listed document is being submitted before the mailing date of any final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and it is accompanied by the fee set forth in § 1.17(p).

RELEVANCE OF THE DOCUMENT

The document listed on the enclosed Form PTO/SB/08A was cited as being relevant during the prosecution of the corresponding PCT International Application No. PCT/US03/37211. A copy of the Written Opinion of the International Preliminary Examining Authority is enclosed, setting forth the portion of the document considered relevant by the Examiner. Applicants respectfully request that the listed document be considered by the Examiner and be made of record in the present application and that any initial copy of PTO/SB/08A be returned in accordance with MPEP § 609.

CERTIFICATION

The undersigned hereby certifies in accordance with 37 CFR § 1.97(e)(1) that the item of information contained in this information disclosure statement was cited in a communication from a foreign patent office and counterpart foreign application not more than three (3) months prior to filing this statement.

Atty. Dkt. No. 8591-112

PETITION AND FEE

It is hereby respectfully petitioned that the document listed on the enclosed Form PTO/SB/08A be considered by the Examiner and formally made of record. A petition fee in the amount of \$180.00, in accordance with 37 CFR § 1.17(p), is enclosed.

Respectfully submitted,

Date: April 13, 2005

DUCKOR SPRADLING METZGER & WYNNE
A Law Corporation
401 West A Street, Suite 2400
San Diego, California 92101-7915

Telephone No.: (619) 231-3666
Facsimile No.: (619) 231-6629
Email Address: kleinke@dsmwlaw.com

By



Bernard L. Kleinke
Attorney for Applicant
Registration No. 22,123

Atty. Dkt. No. 8591-112

**AUTHORIZATION TO PAY AND PETITION FOR THE
ACCEPTANCE OF ANY NECESSARY FEES**

The Commissioner is hereby authorized to charge any additional fees which may be required either now or in the future regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. If any charges or fees must be paid in connection with the foregoing, concurrent or future communication (including, but not limited to, the payment of an extension fee or issue fees), or if any overpayment is to be refunded in connection with the above-identified application, any such charges or fees, or any such overpayment may be respectfully paid out of, or into, the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. If any such payment also requires a petition or extension request, please construe this authorization to pay as the necessary petition or request, which is required to accompany the payment.

Respectfully submitted,

Date: 4-13-2005

DUCKOR SPRADLING METZGER & WYNNE
A Law Corporation
401 West A Street, Suite 2400
San Diego, California 92101-7915

Telephone No.: (619) 231-3666
Facsimile No.: (619) 231-6629
Email Address: kleinke@dsmwlaw.com

By Bernard L. Kleinke
Bernard L. Kleinke
Attorney for Applicant
Registration No. 22,123

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1448/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

Application Number	10/716,891
Filing Date	November 18, 2003
First Named Inventor	Girardin, Timothy, et al.
Art Unit	2876
Examiner Name	Hess, Daniel A.
Attorney Docket Number	8591-112

Sheet		1	of	1
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U. S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

[illegible]

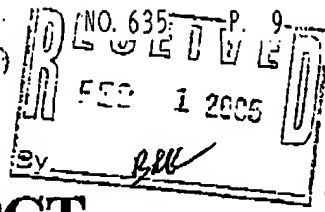
Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.¹ Applicant's unique citation designation number (optional).² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.³ Enter Office that issued the document by the two-letter code (WIPO Standard ST.3).⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.⁶ Applicant is to place a check mark here if English language Translation is attached.

Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

COPY**DOCKETED****PATENT COOPERATION TREATY**From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:
BERNARD L. KLEINKE
DUCKOR SPRADLING & METZGER
401 WEST A STREET, SUITE 2400
SAN DIEGO, CA 92101-7915

PCT

WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY
EXAMINING AUTHORITY

(PCT Rule 66)

Date of mailing (day/month/year)		27 JAN 2005
Applicant's or agent's file reference		REPLY DUE within 2 months/days from the above date of mailing
8591-208		
International application No.	International filing date (day/month/year)	Priority date (day/month/year)
PCT/US03/37211	19 November 2003 (19.11.2003)	19 November 2002 (19.11.2002)
International Patent Classification (IPC) or both national classification and IPC		
IPC(7): G06F 17/60, G06K 5/00, G06F 7/00, G06F 17/00, G08B 23/00 and US Cl.: 235/376, 235/379, 235/380, 340/573.1, 340/573.4, 707/104.1		
Applicant		
SAFETZONE TECHNOLOGIES CORPORATION		

1. ☒ The written opinion established by the International Searching Authority:

☒ is ☐ is not

considered to be a written opinion of the International Preliminary Examining Authority.

2. This second (first, etc.) opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 66.2 (a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☒ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

3. The applicant is hereby invited to reply to this opinion.

When? See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(e).

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4bis.
 For an informal communication with the examiner, see Rule 66.6.
 For an additional opportunity to submit amendments, see Rule 66.4.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.

4. The final date by which the international preliminary report on patentability (Chapter II of the PCT) must be established according to Rule 69.2 is: 19 March 2005 (19.03.2005)

Name and mailing address of the IPEA/ US
 Mail Stop PCT, Attn: IPEA/US
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 Facsimile No. (703) 305-3230

Authorized officer

Daniel A. Hess

Telephone No. (571) 272-2392

Form PCT/IPEA/408 (cover sheet) (January 2004)

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WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

International application No.
PCT/US03/37211

Supplemental Box
(To be used when the space in any of the preceding boxes is not sufficient)

NEW CITATIONS

US PG Pub No. 2002/0152120 (Howington), esp. [0022] and [0036]

US 6,052,675 (Checchio) 18 April, 2000, entire document, esp. column 6, lines 40-55

Form PCT/IPEA/408 (Supplemental Box) (January 2004)

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